

MIDLAND COUNTY SHERIFF'S OFFICE

2013 RACIAL PROFILING REPORT



TEXAS DEPARTMENT OF PUBLIC SAFETY

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512/424-2000

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January 23, 2014

Midland County Sheriff's Office
Attn: Lt. Donald Graham
400 S. Main
Midland, Texas 79701

Dear Lt. Donald Graham:

The Department has received your agency's request for driver record information to assist you in complying with the requirements of Code of Criminal Procedures §2.131.

This report was generated in January 2014. The report reflects the race demographics by county and zip code for all driver license records on the date the report was generated. For all future requests, you must specifically indicate each zip code and/or county for which you want information.

Data provided in this report is derived from the race codes maintained in the Department's driver record file. Race codes are established for the purpose of driver license issuance and include Black, White, Indian, Asian, Hispanic and Other. According to the Texas Law Enforcement Manual §02.10.04 (1a), "Other" is to be used for those of "mixed" races/backgrounds who refuse to accept any of these classifications, or for other unusual situations.

Driver Record information is exempted from release under the Open Records Act and provides that information relating to an individual's driver license can be released only in accordance with Chapter 730 of the Texas Transportation Code (TRC). This statute allows the release of driver record information to a government law enforcement entity. Further, TRC §521.049(c) provides the authority to release information in a class-type listing to a government entity. However, the Department is prevented from releasing class-type listings to nongovernmental entities under TRC §521.051.

The Department understands that the intended use of the requested information could lead to its release in an open government forum or a required report. However, the Department is not waiving any exceptions to disclosure under the Open Records Act by providing this report. In addition, due to restrictions related to providing class-type listings to nongovernmental entities, the Department requests that your agency refrain from disseminating this document.

If we may be of further service, please contact the Driver Record Section at (512) 424-2032.

Sincerely,

A handwritten signature in cursive script that reads 'Margaret Spinks'.

Margaret Spinks, Manager

79701

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	32	68	2,051	2,300	12,448	186	17,085
FEMALE	40	93	1,693	1,663	10,984	162	14,635
ALL	72	161	3,744	3,963	23,432	348	31,720

79702

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	0	0	33	22	246	1	302
FEMALE	2	0	16	8	105	1	132
ALL	2	0	49	30	351	2	434

79703

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	32	102	677	1,124	9,277	120	11,332
FEMALE	30	110	521	838	8,702	102	10,303
ALL	62	212	1,198	1,962	17,979	222	21,635

79704

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	0	0	3	5	53	1	62
FEMALE	0	0	4	2	32	0	38
ALL	0	0	7	7	85	1	100

79705

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	43	201	1,876	1,287	14,586	173	18,166
FEMALE	38	225	1,765	961	14,235	141	17,365
ALL	81	426	3,641	2,248	28,821	314	35,531

79706

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	8	14	212	1,208	9,176	105	10,723
FEMALE	17	22	140	936	8,333	84	9,532
ALL	25	36	352	2,144	17,509	189	20,255

79707

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	71	796	869	899	15,078	222	17,935
FEMALE	54	658	624	718	14,757	160	16,971
ALL	125	1,454	1,493	1,617	29,835	382	34,906

**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Department Name MIDLAND COUNTY SHERIFF'S OFFICE
Agency Number 329100
Chief Administrator Name SHERIFF GARY PAINTER
Reporting Name SHERIFF GARY PAINTER
Contact Number (432) 688-4600
E-Mail Address gary_painter@co.midland.tx.us

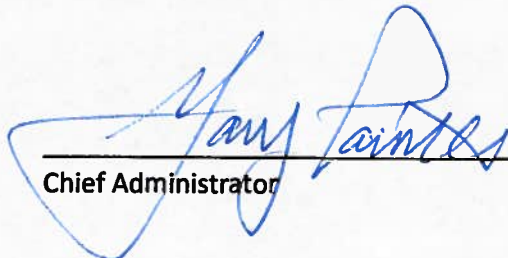
Certification to Report 2.132 (Tier 1) – Partial Exemption

Policy Requirements (2.132(b) CCP):

Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Texas Commission on Law Enforcement; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in effect



Chief Administrator

2-7-14

Date

**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Video and Audio Equipment Exemption

Partial Exemption Claimed by (2.135(a) CCP):

 X all cars regularly used for motor vehicle stops are equipped with video camera
And transmitter-activated equipment and each motor stop is recorded and the
Recording of the stop is retained for at least 90 days after the stop

OR

 In accordance with 2.135(a)(2) the agency has requested and not received funds to
Install the recording equipment

I claim this exemption



Chief Administrator

2-7-14

Date

**Midland County Sheriff's Office
Racial Profiling Report
For Year 2013**

Although the Midland County Sheriff's Office qualifies for the *Tier 1 Reporting - Partial Exemption*, our agency also submits additional Analysis in furtherance of our strict racial profiling policy.

Number of Motor Vehicle Stops:

Warnings:	<u>3011</u>	
Citations:	<u>1298</u>	Total: <u>4309</u>

Stops By Ethnicity:

Asian:	<u>25</u>	
Black:	<u>244</u>	
Hispanic:	<u>1947</u>	
Middle Eastern:	<u>7</u>	
Native American:	<u>2</u>	
White/Non-Hispanic:	<u>2084</u>	Total: <u>4309</u>

Stops by Gender:

Female:	<u>1103</u>	
Male:	<u>3206</u>	Total: <u>4309</u>

Race or Ethnicity Known Prior to Stop:

Race Known Prior to Stop:	<u>39</u>	
Race Unknown Prior to Stop:	<u>4260</u>	Total: <u>4299</u>

Arrest Made (Warning & Citation):

Yes:	<u>76</u>	
No:	<u>4233</u>	Total: <u>4309</u>

Search Conducted:

Yes:	<u>140</u>	
No:	<u>4169</u>	Total: <u>4309</u>

Search Consented:

Consent:	<u>89</u>	
No-Consent:	<u>51</u>	Total: <u>140</u>

Contraband Found:

Yes:	<u>55</u>	
No:	<u>85</u>	Total: <u>140</u>

Type of Contraband Found:

Drugs:	<u>26</u>	
Weapons:	<u>2</u>	
Currency:	<u>0</u>	
Other:	<u>27</u>	Total: <u>55</u>